

EXHIBIT A

DE-115/GC-015

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Robert Mills. Esq. FIRM NAME: Law Office of Robert Mills STREET ADDRESS: 1429 S. Valley Center Ave. CITY: Glendora TELEPHONE NO.: (626) 827-1419 EMAIL ADDRESS: robert@mills-law-office.com ATTORNEY FOR (name): GEORGINA G. BANAAG	STATE BAR NUMBER: 155896 STATE: CA ZIP CODE: 91740 FAX NO.: (909) 592-3688
FOR COURT USE ONLY	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco STREET ADDRESS: 400 McAllister St. MAILING ADDRESS: 400 McAllister St. CITY AND ZIP CODE: San Francisco, CA 94102-4515 BRANCH NAME: Civic Center Courthouse	
<input type="checkbox"/> ESTATE OF (name): <input checked="" type="checkbox"/> IN THE MATTER OF (name): AURORA V. BARCEBAL REVOCABLE TRUST, DATED 05/24/2010 <input type="checkbox"/> DECEDENT <input checked="" type="checkbox"/> TRUST <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR	
NOTICE OF HEARING ON PETITION TO DETERMINE CLAIM TO PROPERTY	
CASE NUMBER: PTR-22-305656	

A petition has been filed asking the court to determine a claim to the property identified in 3, and a hearing on the petition has been set. Please refer to the petition for more information.

If you have a claim to the property described in 3, you may attend the hearing and object or respond to the petition. If you do not want to attend the hearing, you may also file a written response before the hearing.

If you do not respond to the petition or attend the hearing, the court may make orders affecting ownership of the property without your input.

1. NOTICE is given that (name): GEORGINA G. BANAAG
(fiduciary or representative capacity, if any):
has filed a petition entitled (state complete title): See Attachment 1
under Probate Code section 850 asking for a court order determining a claim or claims to the property described in 3.

2. A HEARING on the petition will be held as follows:

Hearing Date	Date: 12/13/2022 Dept.: 204	Time: 9:00 a.m. Room:	Name and address of court if different from above:
-----------------	--------------------------------	--------------------------	--

3. The property that is the subject of the petition is (describe each item of real or personal property; for real property—i.e., land or buildings—give the street address or, if none, describe the property's location and give the assessor's parcel number):
 1. Aurora V. Barcebal Revocable Trust, Dated 05/24/2010 and all assets.
 2. Citigold Trust Account xxxxxxx2957.
 3. Relief sought from Respondents: See No. 4, below.

☐ Continued on Attachment 3.

Check 4 only if the petition seeks the additional relief described.

4. ☒ In addition to seeking to recover the property described in 3, the petition also alleges and seeks relief for bad faith conduct, undue influence in bad faith, or elder or dependent adult financial abuse. The petition describes these allegations in detail. Based on the allegations, the petition seeks to recover twice the value of the property described in 3
☒ and requests that the court award attorney's fees and costs to the petitioner. (Prob. Code, § 859.)



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civ. Code, § 54.8.)

DE-115/GC-015

<input type="checkbox"/> ESTATE OF (name): <input checked="" type="checkbox"/> IN THE MATTER OF (name): AURORA V. BARCEBAL REVOCABLE TRUST, DATED 05/24/2010 <input type="checkbox"/> DECEDENT <input checked="" type="checkbox"/> TRUST <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR	CASE NUMBER: PTR-22-305656
--	--------------------------------------

PROOF OF SERVICE BY MAIL*

1. I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred.
2. My residence or business address is (specify):
1429 S. Valley Center Ave., Glendora, CA 91740
3. I served the foregoing *Notice of Hearing on Petition to Determine Claim to Property* on each person named below by enclosing a copy in an envelope addressed as shown below AND
 - a. ☒ **depositing** the sealed envelope on the date and at the place shown in item 4 with the U.S. Postal Service with the postage fully prepaid.
 - b. ☐ **placing** the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service in a sealed envelope with postage fully prepaid.
4. a. Date mailed: 11/09/2022
b. Place mailed (city, state): Glendora, CA
5. ☒ I served with the *Notice of Hearing on Petition to Determine Claim to Property* a copy of the petition referred to in the Notice.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 11/09/2022

Robert Mills

(TYPE OR PRINT NAME)



(SIGNATURE)

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

	<u>Name</u>	<u>Address (street & number, city, state, zip code)</u>
1.	Citibank Service Center c/o DCAM	100 CITIBANK DRIVE SAN ANTONIO TX 78245
2.	CITIGOLD SERVICES	PO Box 6201 Sioux Falls, SD 57117
3.	CITIBANK, N.A.	4455 Geary Blvd. San Francisco, CA 94118
4.		
5.		
6.		

☐ Continued on an attachment. (You may use Attachment to Notice of Hearing Proof of Service by Mail, form DE-120(MA)/GC-020(MA), for this purpose.)

* Do not use this form to prove personal or electronic service. You may use form DE-120(P) or GC-020(P) to prove personal service.

PETITION TO DETERMINE CLAIM TO PROPERTY

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form

Robert Mills, Esq. [SBN: 155896]
 LAW OFFICE OF ROBERT MILLS
 1429 S. Valley Center Avenue
 Glendora, CA 91740
 Tel: (626) 827-1419
 Fax: (909) 592-3688
 Email: *robert@mills-law-office.com*

DEPARTMENT: 204
 Hearing: 12/13/2022 9:00 am

ELECTRONICALLY
FILED
 Superior Court of California,
 County of San Francisco

09/09/2022
 Clerk of the Court
 BY: LESLIE GOMEZ
 Deputy Clerk

Attorney and Fiduciary (Legal Representative) as Interested Person
 for GEORGINA G. BANAAG, Heir/Interested Person

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF SAN FRANCISCO**

PTR-22-305656

In Re:

Case No.:

AURORA V. BARCEBAL REVOCABLE
 TRUST, DATED 05/24/2010

PETITION FOR:

**1. ORDER DIRECTING RESPONDENTS TO
 CONVEY OR TRANSFER ALL PROPERTY OF
 THE TRUST OF AURORA V. BARCEBAL TO
 PETITIONER HEREIN;**

PETITIONER:

ROBERT MILLS, ESQ., AS ATTORNEY
 (FIDUCIARY) FOR GEORGINA G.
 BANAAG, HEIR/INTERESTED PERSON.

**2. ORDER FINDING RESPONDENTS HAVE IN
 BAD FAITH WRONGFULLY TAKEN,
 CONCEALED, AND/OR DISPOSED OF
 PROPERTY BELONGING TO THE TRUST OF
 AURORA V. BARCEBAL;**

RESPONDENTS:

CITIBANK, N.A.; CITIBANK CLIENT
 SERVICES; CITIGOLD CLIENT
 SERVICES; CITIGOLD SERVICES.

**3. ORDER FINDING THAT RESPONDENTS
 ARE LIABLE FOR TWICE THE VALUE OF
 THE PROPERTY RECOVERED BY THE
 WITHIN ACTION BROUGHT UNDER
 PROBATE CODE § 805 *ET SEQ.*;**

4. INTENTIONAL MISREPRESENTATION;

5. NEGLIGENT MISREPRESENTATION; AND

6. CONCEALMENT.

[Probate Code §850]

DATE: **DECEMBER 13, 2022**

TIME: **9:00 a.m.**

DEPT.: **204**

Petitioner, ROBERT MILLS, ESQ. ("Attorney Mills" or "Petitioner"), as an Interested Person by virtue of serving as legal representative for Heir/Interested Person, GEORGINA G. BANAAG ("Ms. Banaag"), pertaining to the Aurora V. Barcebal Revocable Trust, Dated 05/24/2010 (the "Trust"), alleges:

JURISDICTION, STANDING AND VENUE

1. The Court has jurisdiction over this matter under *Probate Code* §§850(a)(2)(C) and (D) because the assets at issue belong to a Trust, which was validly created by the Settlor, Aurora V. Barcebal ("Aurora" or "Decedent").

2. Petitioner has standing to bring this Petition pursuant to *Probate Code* §850(a), which authorizes a trustee *or an interested person* to bring a petition in the following cases: "Where the decedent died in possession of, or holding title to, real or personal property, and the property or some interest therein is claimed to belong to another" (*Probate Code* §850(a)(2)(C)), and "Where the decedent died having a claim to real or personal property, title to or possession of which is held by another." (*Probate Code* §850(a)(2)(D).)

3. *Probate Code* § 48(a)(1) defines an "interested person" to include "an heir, devisee, child, spouse, creditor, beneficiary, and any other person having a property right in or claim against a trust estate or the estate of a decedent which may be affected by the proceeding."

4. Section 48(a)(3) provides that "an interested person" includes "a fiduciary representing an interested person."

5. Ms. Banaag is the niece of Decedent and is a rightful heir and is an interested person. Attorney Mills represents Ms. Banaag in this matter and thus, Attorney Mills is a fiduciary representing an interested person. *Probate Code* § 39 states: "'Fiduciary' means personal representative, trustee, guardian, conservator, attorney-in-fact under a power of attorney, custodian under the California Uniform Transfer To Minors Act (Part 9 (commencing with Section 3900) of Division 4), or *other legal representative subject to this code.*" (Italics added.)

6. Section 48(b) states: "The meaning of 'interested person' as it relates to particular persons may vary from time to time and shall be determined according to the particular purposes of, and matter involved in, any proceeding."

7. Venue is properly in the County of San Francisco under *Probate Code* §17005(b) which provides: “If a living trust has no trustee, the proper county for commencement of a proceeding for appointing a trustee is the county where the trust property, or some portion of the trust property, is located.”

PARTIES INVOLVED

8. Aurora V. Barcebal, settlor and Decedent.
9. Georgina G. Banaag, Interested Person.
10. Robert Mills, Esq., Petitioner as interested person/legal representative of Ms. Banaag.
11. Citibank, N.A.; Citibank Client Services; Citigold Client Services; Citigold Services, collectively referred to hereinafter as “Citibank” or “Respondents.”

BACKGROUND FACTS AND GENERAL ALLEGATIONS

12. Aurora V. Barcebal passed away in Manila, Philippines on January 23, 2015.
13. During her life and at the time of her death, Aurora was not married and had no children. She was an accountant and former executive of Bank of America.

14. In or about 2010, Aurora created a trust named “Aurora V. Barcebal Revocable Trust, Dated 05/24/2010” (the “Trust”) with Aurora serving as the Trustee. Aurora opened a Trust bank account at a Citibank bank branch in San Francisco, CA, that account being Citigold Account xxxxxxxx2957 (the “Trust account”). The initial deposit amount is not known at this time.

15. As of October 31, 2021, the balance of the Trust account was \$302,831.00. (A true and correct copy of the Citibank statement for Aurora’s Trust account for the period of October 1, 2021 to October 31, 2021 is attached hereto as Exhibit A.)

16. Aurora was a resident of the United States, specifically in the city of San Francisco, CA, since approximately mid-1960s. Aurora had dual citizenship of the United States and Philippines. In 2014, Aurora moved to Manila, Philippines, with the likely intent to retire there.

17. Petitioner is informed and believes and thereupon alleges that on or about April 24, 2017, a letter was written and sent to the U.S. Embassy in Manila, Philippines, to the American Citizen Services Unit, to report the death of Aurora on January 23, 2015. A copy of Aurora’s Death Certificate was attached to said letter, as well as Aurora’s U.S. Passport.

1 18. Petitioner is informed and believes and thereupon alleges that on or about September 24,
2 2017, a letter was sent on behalf of Mrs. Leonida B. Garcia and Mrs. Zenaida B. Taccad, heirs of
3 Aurora, to Connie Li at Citibank, located at 4455 Geary Boulevard, San Francisco, CA, informing
4 Citibank that its account holder – Aurora V. Barcebal – had passed away. Aurora’s Death Certificate
5 was also provided with the letter. Mrs. Garcia and Mrs. Taccad requested Citibank to advise as to the
6 manner for closing Aurora’s Trust account. (A true and correct copy of said letter is attached hereto as
7 Exhibit B.)

8 19. Petitioner is informed and believes and thereupon alleges that soon thereafter, Citibank
9 replied with a letter advising Mrs. Garcia and Mrs. Taccad to send Citibank the Trust document
10 associated with Aurora’s Trust account.

11 20. Petitioner is informed and believes and thereupon alleges that on or about November 20,
12 2017, Citibank sent another letter from Mr. Gowtham Prabhakaran of the Branch and Client Servicers at
13 the Citibank Service Center to Mrs. Garcia in the Philippines asking for an English translated Death
14 Certificate, as well as an “Ancillary Letter issued in California” and a “Notarized Letter of Instruction
15 and Federal Transfer Certificate issued by the Internal Revenue Service.” (A true and correct copy of
16 said letter is attached hereto as Exhibit C.)

17 21. Petitioner is informed and believes and thereupon alleges that on or about December 18,
18 2017, Mrs. Garcia and Mrs. Taccad – through the law firm of retained counsel Richard Neil S. Chua,
19 located in the Philippines (“Attorney Chua”) – sent a reply to Mr. Gowtham Prabhakaran explaining that
20 insofar as the English translated Death Certificate was concerned, this could be accomplished.
21 However, counsel explained that the two other requested documents were nearly impossible to obtain
22 and provide, and counsel asked Citibank for any alternative information/documents which could be
23 provided to resolve the matter.

24 22. Petitioner is informed and believes and thereupon alleges that on or about January 4,
25 2018, Citibank replied, through a Mr. Arun S.M., with an enclosed trust certification, and requested two
26 additional documents – a trust agreement and a Federal Transfer Certificate.

27 23. Petitioner is informed and believes and thereupon alleges that on or about January 25,
28 2018, Attorney Chua wrote to Citibank Service Center (ATTN: Mr. Arum S M), requesting information

1 as to how to resolve the problem of a trust agreement, as well as the lack of any Federal Transfer
2 Certificate issued by the IRS. (A true and correct copy of said letter is attached hereto as Exhibit D.)

3 24. Petitioner is informed and believes and thereupon alleges that on or about March 13,
4 2018, Attorney Chua apprised Mr. Arun S M that Mrs. Garcia and Mrs. Taccad had visited the United
5 States Consular Office and were advised to execute a Trust Certification (a deposit account) and to
6 secure a letter from Citibank US indicating Mrs. Garcia and Mrs. Taccad as trustees of Aurora's Trust.

7 25. Petitioner is informed and believes and thereupon alleges that on or about March 22,
8 2018, Citibank acknowledged receipt of documents furnished by Attorney Chua, and then Citibank
9 requested additional documents from Attorney Chua, those being a Certified Death Certification, copies
10 of Trust documents, and a Trust Certification. The correspondence from Citibank stated that the matter
11 was being referred to Citibank's Client Services Department.

12 26. Petitioner is informed and believes and thereupon alleges that on or about March 29,
13 2018, Mr. Arun S.M. at Citibank wrote to Attorney Chua and reiterated Citibank's requests as made in
14 Citibank's January 4, 2018 letter, i.e., a trust agreement and a Federal Transfer Certificate.

15 27. Petitioner is informed and believes and thereupon alleges that on or about April 30, 2018,
16 Attorney Chua wrote a follow-up letter to Citibank, requesting any possible solutions which Citibank
17 may have or suggest to accommodate the age and physical condition of Mrs. Garcia and Mrs. Taccad.

18 28. Petitioner is informed and believes and thereupon alleges that on or about May 15, 2018,
19 Citibank replied – through a Mr. Omkumar E K – by enclosing a Trust Certification Form along with the
20 Federal Transfer Certificate. Additionally, Mrs. Garcia and Mrs. Taccad were instructed to send
21 Citibank “the original trust agreement” to enable the bank to confirm the Trust's trustees.

22 29. Petitioner is informed and believes and thereupon alleges that on or about June 13, 2018,
23 Citibank replied again through Mr. Omkumar E K who reiterated the message almost verbatim as those
24 posed by Mr. Arun S M in Citibank's letters of March 29, 2018 and January 4, 2018.

25 30. Petitioner is informed and believes and thereupon alleges that on or about July 20, 2018,
26 Attorney Chua communicated to Citibank to advise that the original Trust agreement is not in the
27 possession of Mrs. Garcia and Mrs. Taccad, as they were not even aware of Aurora's Citibank Trust
28 account during the lifetime of their sister. Attorney Chua pointed out to Citibank that Citibank should

1 possess a copy of the Trust agreement associated with Aurora's Citibank Trust account, and further
2 asked if such Trust agreement may be dispensed with considering that Mrs. Garcia and Mrs. Taccad
3 were lawful heirs. Attorney Chua also acknowledged receipt of Citibank's letter of May 15, 2018. (A
4 true and correct copy of said letter is attached hereto as Exhibit E.)

5 31. Petitioner is informed and believes and thereupon alleges that on or about October 29,
6 2018, Attorney Chua wrote Citibank a follow-up letter to counsel's July 20, 2018 letter. Citibank never
7 responded to the letter.

8 32. Petitioner is informed and believes and thereupon alleges that Citibank finally replied
9 through its Client Services in a letter dated November 27, 2018 (unsigned with sender identified as
10 "Citibank Client Services), wherein a request was again made for the "original trust agreement."
11 (Attached hereto as Exhibit F is a true and correct copy of said November 27, 2018 letter.) In its letter,
12 Citibank Client Services suggested:

13 "If you are needing a copy of the original trust agreement used to open the account please
14 contact the branch of domicile below:

15 4455 Geary Blvd
16 San Francisco, CA 94118
17 Phone Number-415-649-6969."

18 33. Clearly, Citibank Client Services was aware that the branch domicile would and should
19 possess a copy of the Trust document.

20 34. Petitioner is informed and believes and thereupon alleges that on or about February 13,
21 2019, Attorney Chua wrote to a Ms. Connie Li, the branch manager for Citibank's branch domicile in
22 San Francisco, CA, requesting the original Trust agreement, as suggested by Citibank Client Services.
23 (Attached hereto as Exhibit G is a true and correct copy of said February 13, 2019 letter.)

24 35. Petitioner is informed and believes and thereupon alleges that after not receiving any
25 response from Ms. Li, Attorney Chua wrote a follow-up letter to Ms. Li on or about May 14, 2019. Ms.
26 Li never responded to the May 14, 2019 letter.

27 36. Attorney Chua then wrote a letter to Citibank Client Services on or about June 16, 2019,
28 apprising Citibank Client Services of the lack of response from Ms. Li at the branch domicile to two
previous letters requesting the original Trust agreement from Citibank. Attorney Chua also

acknowledged receipt of Citibank's letters of November 27, 2018 and February 25, 2019. (Attached hereto as Exhibit H is a true and correct copy of said June 16, 2019 letter.)

37. Petitioner is informed and believes and thereupon alleges that after not receiving any response from Ms. Li to counsel's May 14, 2019 letter, Ms. Banaag (i.e., interested person herein) telephoned Citibank in San Francisco, CA and personally spoke with Ms. Li.

38. Based on information and belief, Ms. Li informed Ms. Banaag that she had sent out a reply letter to Attorney Chua's office (which was never received), and Ms. Li also informed Ms. Banaag in their telephone conversation that:

"They (referring to Citibank) do not keep a copy of the Trust Agreement..." and that "...the only option is to take up the matter with the US Court."

39. Petitioner is informed and believes and thereupon alleges that on or about July 12, 2019, Citibank Client Services replied to Attorney Chua through a Mr. Albert Almaraz, who advised that the matter was being investigated and that a response would be provided in two weeks.

40. Two weeks came and went and no further communication was made by or received from Citibank after July 12, 2019, as Mr. Albert Almaraz at Citibank Client Services had advised in his letter of July 12, 2019.

41. Due to the older ages of Mrs. Garcia and Mrs. Taccad, Ms. Banaag (interested person herein) began handling this matter as a niece and heir of Aurora. In December 2019, Ms. Banaag retained the services of a United States attorney ("Attorney Capulong") to assist with further contact with Citibank. However, since being retained in 2019, Attorney Capulong has failed to carry out any services for Ms. Banaag and Attorney Capulong would occasionally reply to Ms. Banaag's emails requesting status with responses stating that she was out of the office, that she had health issues, and paralegal problems, etc.

42. On or about August 10, 2021, Citibank sent a letter to Aurora at her residence in Manila, Philippines regarding her checking account. *This letter was sent by Citibank directly to Aurora despite Citibank being informed in writing four years prior on September 24, 2017 of Aurora's death in 2015 (with Aurora's death certificate).* (Attached hereto as Exhibit I is a true and correct copy of said August 10, 2021 letter.)

43. The August 10, 2021 Citibank letter informed the deceased Aurora that there had been no activity in her account “over a period of years.” The letter stated that:

“Because your physical address on record with Citibank NA is outside of the United States your account is subject to the abandoned property law of Citibank NA’s State of Incorporation which is South Dakota. This law requires banks to transfer to the state the balances in accounts in which there have been no deposits, withdrawals or written communication from you.”

The August 10, 2021 letter further stated:

“If (certain action) is not performed by 09-24-2021, your funds will be sent to the state of Citibank NA’s incorporation and you will need to file a claim with that state to claim your funds” (meaning South Dakota).

44. Ms. Banaag relayed the Citibank letter to Attorney Capulong to respond to Citibank and Attorney Capulong advised Ms. Banaag that she would contact Citibank and then contact Ms. Banaag when she heard back from Citibank. Attorney Capulong never contacted Ms. Banaag.

45. In or about November 2021, Ms. Banaag was able to obtain the first page of a Citigold statement for Aurora’s Trust Account XXXXXXXX2957, for the period October 1, 2021 to October 31, 2021. The statement shows that the Trust account was active with a balance of over \$300,000.00. (See Exhibit A.)

46. In or about November 2021, Ms. Banaag retained the services of the Law Office of Robert Mills (“Attorney Mills”) to assist her in this matter and to assist in obtaining information from Citibank regarding Aurora’s Trust account.

47. After review of the information and after researching the available options for Ms. Banaag to pursue, Attorney Mills first drafted and sent a letter dated April 8, 2022 to various Citibank offices to assist in providing needed information regarding Aurora’s Trust and Trust account, primarily the Trust document itself, to allow Ms. Banaag to identify any named trustee(s) and beneficiary(ies) so as to allow a proper handling and distribution of Trust assets without further delay. (Attached hereto as Exhibit J is a true and correct copy of said April 8, 2022 letter.)

48. In response to Attorney Mills’ April 8, 2022 letter, Attorney Mills received a letter dated April 22, 2022 from Citibank’s Office of the President – the letter was not signed and the sender is identified as “Your Citi Executive Response Team” – wherein the letter stated:

1 “During our review of the account, we were unable to identify you or your client as
2 authorized signers on the account and are therefore unable to provide you any information
3 regarding the documents maintained by Citibank regarding the account. Please provide us
4 with Letters of Administration or Letters Testamentary for the Estate of Aurora Barcebal
as Exhibit K is a true and correct copy of said April 22, 2022 letter.)

5 49. Ms. Banaag does not possess and never has possessed Letters of Administration or
6 Letters Testamentary because a probate matter was never opened in California (or any other state in the
7 United States). Aurora’s sole property in the U.S. are the Trust assets which would not be included as an
8 estate asset under the California Probate Code and thus a probate case would be moot.

9 50. Citibank’s April 22, 2022 letter further stated:

10 “While reviewing the account, we were able to determine that the account was closed on
11 October 1, 2021, because the account was considered abandoned property, and the funds
12 were escheated to the State of California.” (See Exhibit K.)

13 51. Citibank’s letter contradicted Citibank Trust account statement (Exhibit A for October 1,
14 2021 to October 31, 2021) which showed that Aurora’s Trust account was active and still in Citibank up
15 to October 31, 2021.

16 52. Further, the Citibank letter contradicted Citibank’s prior letter of August 10, 2021 which
17 stated that Aurora’s Trust account funds would be escheated to South Dakota.

18 53. Further, Citibank acknowledges in its April 22, 2022 letter that the bank did possess
19 information regarding Aurora’s Trust account which Petitioner contends would likely assist Ms. Banaag
20 in obtaining the information which has been requested from and denied by Citibank for the past five (5)
21 years.

22 54. Attorney Mills received a letter from Citibank Client Services in San Antonio, TX, dated
23 May 5, 2022, in response to Attorney Mills’ April 8, 2022 letter regarding the Trust account. (Attached
24 hereto as Exhibit L is a true and correct copy of said May 5, 2022 letter.) In this May 5, 2022 letter,
25 Citibank states:

26 “Our records show in 10/1/21, the funds from the above mentioned account were remitted
27 to the State of California as dormant property. To reclaim the funds, you must file a claim
28 with the (sic) California. Please visit the California website at
<https://southdakota.findyourunclaimedproperty.com/> for assistance in the matter.”

The May 5, 2022 letter further stated:

“Please be informed it will take about 6-12 weeks for the funds to show on the website. It might be longer with Covid-19. After the database has been updated you will be able to get the property ID number from this website: <https://southdakota.findyourunclaimedproperty.com/>”

55. Once again, Citibank contradicts its own information. Citibank represents in its May 5, 2022 letter that the funds “were remitted to the State of California as dormant property,” while Citibank’s August 10, 2021 letter represented that the funds would be escheated to South Dakota as abandoned property.

56. Citibank’s May 5, 2022 letter also repeats the representation that the funds were escheated on October 1, 2021, contradicting Citibank account statement (Exhibit A; for October 1, 2021 to October 31, 2021) which shows that Aurora’s Trust account was active and still in Citibank up to October 31, 2021.

57. At or about the time the within Petition was prepared, Petitioner has followed Citibank’s advice to search for abandoned property in both California and South Dakota. A search reveals that there are no records of any funds belonging to Aurora and/or her Trust that has been escheated to or otherwise lodged by Citibank with these two states as abandoned property. (Attached hereto as Exhibits M and N are true and correct copies of search results from South Dakota Treasurer Unclaimed Property Division and California State Controller site for unclaimed property.)

58. Petitioner thus brings this Petition due to the inconsistent and misleading information and the misrepresentations given by Citibank personnel regarding Aurora’s Trust documents and funds. Despite due diligence by Petitioner and others mentioned above, Aurora’s Trust funds are nowhere to be found and Citibank was the last to have possession of the funds. Citibank’s representations that the Trust funds were escheated are suspect, at best, as Citibank represents on one hand that Aurora’s Trust funds were escheated to California and then represents on the other hand that the Trust funds were escheated to South Dakota. A search of both these States’ abandoned property sites show no money or property related to Aurora’s Trust were ever sent by Citibank or received by these States.

59. Accordingly, Petitioner alleges that Citibank has in bad faith wrongfully taken, concealed, and/or disposed of the funds and property belonging to Aurora’s Trust and that Citibank must

1 be found liable for twice the value of the property recovered by this action, pursuant to California
2 Probate Code § 859.

3 **FIRST CAUSE OF ACTION**

4 **(Bad Faith Taking, Concealment, and Disposal of Trust Property;**

5 **Probate Code § 850 *et seq.*)**

6 60. Petitioner incorporates by reference as though fully set forth herein all previous
7 allegations of this Petition.

8 61. Respondents has intentionally and consciously acted in bad faith by taking Aurora's
9 Trust funds and disposed of said funds without any intent to locate the funds and return the funds to the
10 representatives of Aurora.

11 62. Respondents have been and are unjustly enriched by acting in bad faith in taking,
12 concealing and disposing of Aurora's Trust funds, and pursuant to Probate Code § 859, Respondents
13 should be found liable for twice the value of the property recovered from Respondents or any transferee
14 of the property.

15 **SECOND CAUSE OF ACTION**

16 **(Intentional Misrepresentation)**

17 63. Petitioner incorporates by reference as though fully set forth herein all previous
18 allegations of this Petition.

19 64. Respondents represented to Ms. Banaag and Petitioner herein that an important fact was
20 true, that being that Citibank did not have documents or information regarding Aurora's Trust account
21 at Citibank, and that the Trust account funds had been escheated to the state of California and/or South
22 Dakota.

23 65. Respondents' representations were false. A search of abandoned property sites for
24 California and South Dakota show no funds or property of Aurora or Aurora's Trust have been received
25 by or sent to these States. (See Exhibits M and N.)

26 66. Further, Respondents did indeed possess documents relative to Aurora's Trust, but
27 Respondents refused to provide Aurora's heirs with the requested documents and misrepresented to Ms.
28 Banaag and Petitioner herein that Citibank "[does] not keep a copy of the Trust Agreement."

67. Respondents knew that the representations were false when Respondents made them, or Respondents made the representations recklessly and without regard for their truth.

68. Respondents intended that Ms. Banaag and Petitioner herein rely on the representations.

69. Ms. Banaag and Petitioner reasonably relied on the representations.

70. Ms. Banaag and Petitioner were harmed, and

71. Ms. Banaag's and Petitioner's reliance on Respondents' representations was a substantial factor in causing that harm to Ms. Banaag and Petitioner herein.

THIRD CAUSE OF ACTION

(Negligent Misrepresentation)

72. Petitioner incorporates by reference as though fully set forth herein all previous allegations of this Petition.

73. Respondents represented to Ms. Banaag and Petitioner herein that a fact was true, that being that Citibank did not have documents or information regarding Aurora's Trust account at Citibank, and that the Trust account funds had been escheated to the state of California and/or South Dakota.

74. Respondents' representations were not true.

75. Respondents may have honestly believed that the representations were true, but Respondents had no reasonable grounds for believing the representations were true when they were made.

76. Respondents intended that Ms. Banaag and Petitioner herein rely on its representations.

77. Ms. Banaag and Petitioner herein reasonably relied on Respondents' representations.

78. Ms. Banaag and Petitioner herein were harmed.

79. Ms. Banaag's and Petitioner's reliance on Respondents' representations was a substantial factor in causing Petitioner's harm.

FOURTH CAUSE OF ACTION

(Concealment)

80. Petitioner incorporates by reference as though fully set forth herein all previous allegations of this Petition.

81. Respondents disclosed some facts to Petitioner, but intentionally failed to disclose other facts, making the disclosure deceptive; further, Respondents intentionally failed to disclose certain facts that were known only to Respondents and that Petitioner could not have discovered; and further, Respondents prevented Petitioner from discovering certain facts.

82. Petitioner did not know of the concealed facts.

83. Respondents intended to deceive Petitioner by concealing the facts.

84. Had the omitted information been disclosed, Petitioner reasonably would have behaved differently.

85. Ms. Banaag and Petitioner herein were harmed, and

86. Respondents' concealment was a substantial factor in causing Ms. Banaag and Petitioner harm.

PRAYER FOR RELIEF

WHEREAS, PETITIONER prays for:

1. An Order authorizing and directing the personal representative or other fiduciary of Respondents, or the person having title to or possession of the property of the Trust of Aurora V. Barcebal, to execute a conveyance or transfer of all said property to Ms. Banaag and Petitioner herein, or granting other appropriate relief.

2. An Order finding that Respondents have in bad faith wrongfully taken, concealed, and/or disposed of property belonging to the Trust of Aurora V. Barcebal;

3. An Order finding that Respondents are liable for twice the value of the property recovered by the within action brought under Probate Code § 805 *et seq.*;

4. For damages caused by Respondents' intentional misrepresentation, according to proof;

5. For damages caused by Respondents' negligent misrepresentation, according to proof;

6. For damages caused by Respondents' concealment, according to proof;

7. For reasonable attorney's fees and costs, as determined in the court's discretion;

8. For compensatory damages, according to proof;

9. For exemplary damages, according to proof; and

10. For such further orders as the Court deems proper.

Respectfully submitted,

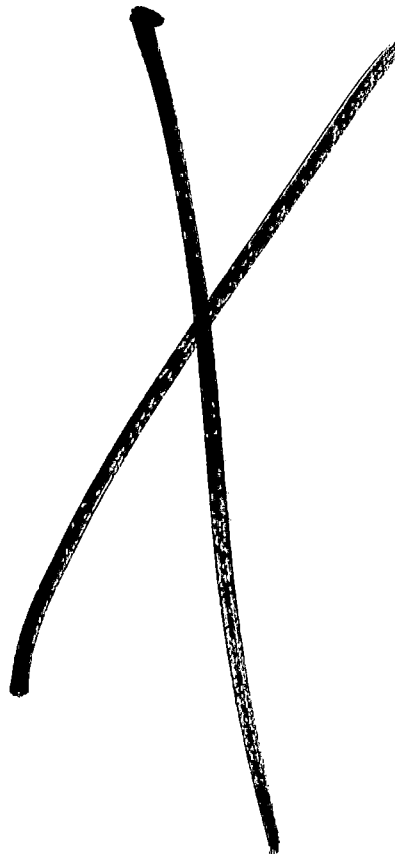
LAW OFFICE OF ROBERT MILLS

DATED: September 9, 2022

By: 

Robert Mills, Esq.

Attorney and Fiduciary (Legal Representative) as
Interested Person for GEORGINA G. BANAAG,
Heir/Interested Person



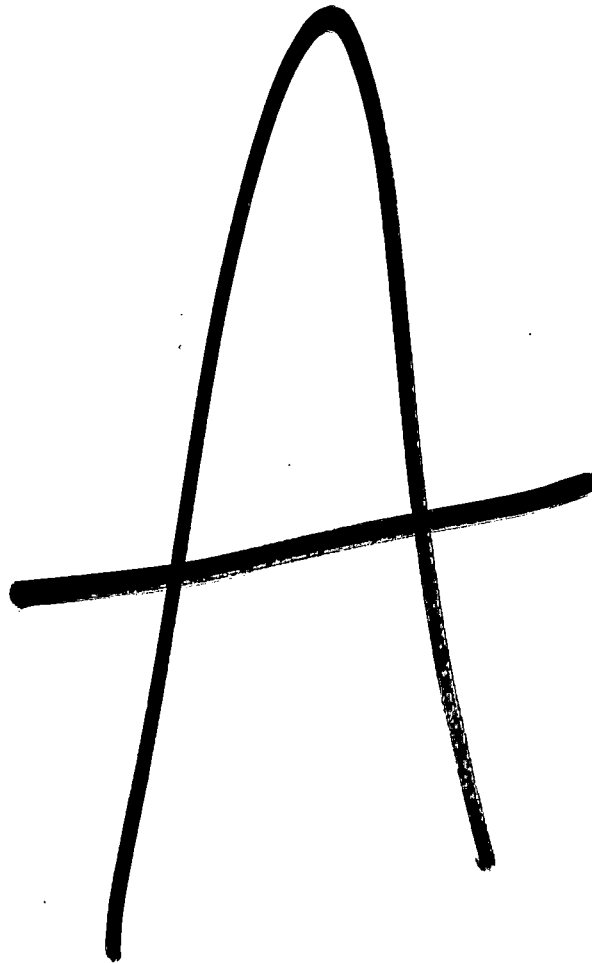
A large, handwritten capital letter 'A' in black ink. The letter is formed with a single continuous stroke, starting from the bottom left, curving up to a peak, and then curving down to the bottom right. A horizontal crossbar is drawn across the middle of the letter.

EXHIBIT A



Citigold

 October 1 - October 31, 2021
 Citigold Account 42006622957

Page 1 of 4

00000835 88 CCC 302 JSW346NA NBC 1 TY7 D

 AURORA V. BARCEBAL ATF
 2010 AURORA V BARCEBAL REV TRUST
 DATED 05/24/2010
 764 KINGS ROAD, SAMAT
 MANDALUYONG METRO
 MANILA PHILIPPINES

00046240

CITIGOLD SERVICES

PO Box 6201

Sioux Falls, SD 57117-6201

Citigold Dedicated Servicing: 888-248-4465

For banking, call your Relationship Manager:

Judy Zhu, 510-492-0930*

For investments, call your Financial Advisor:

Josie Su, 408-481-1074*

For speech or hearing impaired customers dial: 711

Website: www.citibank.com

EXHIBIT A Page 1 of 1

Citigold is a service of Citibank, N.A. The following summary portion of the statement is provided for informational purposes.

Citibank Accounts		
Checking		
Checking	75,947.76	0.00
Savings		
Insured Money Market Accounts	226,730.80	0.00
Citigold Relationship Total	\$302,678.56	\$0.00

Earnings Summary		
Citibank Accounts		
Checking		
Checking	0.00	17.02
Savings		
Insured Money Market Accounts	0.00	135.62
Citigold Relationship Total	\$0.00	\$152.64

To ensure quality service, calls are randomly monitored and may be recorded.

B

EXHIBIT B

September 24, 2017

Citibank
SF-Inner Richmond
4455 Geary Blvd.
San Francisco, CA 94118

Attention: Ms. Connie Li
Financial Center Manager

Dear Ms. Li,

Please be advised that my sister, Aurora V. Barcebal, passed away last January 23, 2015, here in the Philippines.

My sister, Zenaida B. Taccad and myself, Leonida B. Garcia, are the only heirs of the deceased.

Attached herewith is your reference letter dated September 12, 2013.

May we know the status of her account/s so that preparation of requirements will be submitted to your branch soonest.

You can mail letters or any documents to be signed or prepared by us at 764 Kings Road, Highway Hills, Mandaluyong City, Philippines, 1550.

My other contact details are telephone number (632)533-9169 or e-mail address ginnygb@pltdsl.net.

Thank you.

Very truly yours,

Leonida B. Garcia

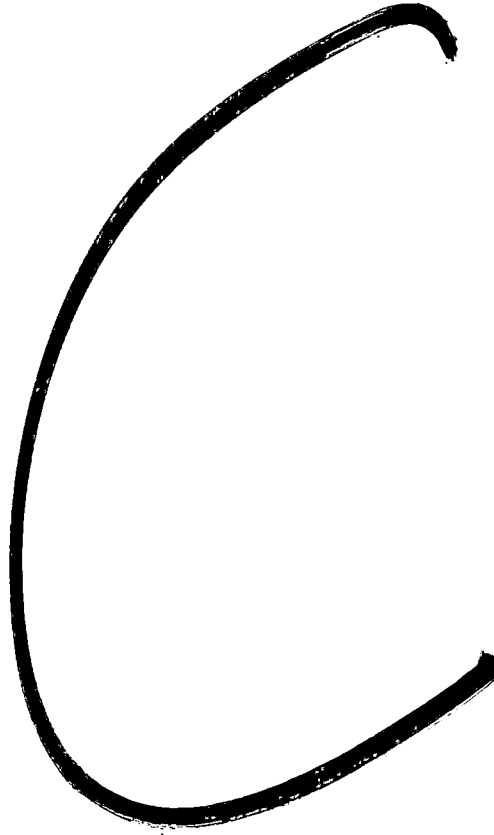
A large, thick, black handwritten letter 'C' is centered on the page. The stroke is slightly irregular, with a small gap at the top and bottom, giving it a hand-drawn appearance.

EXHIBIT C

Citibank Service Center
100 Citibank Drive
San Antonio, TX 78245-3214



November 20, 2017

LEONIDA BARCEBAL GARCIA
ESTATE OF AURORA V. BARCEBAL
764 KINGS ROAD
HIGNWAY HILLS, MANDALUYONG CITY
PHILIPPINES 1550

Dear Leonida Barcebal Garcia,

We recently received your correspondence concerning the Estate of Aurora V. Barcebal. In order to release information or to close the account(s) ending with 2957 and 1349, please submit a copy of the English translated Death Certificate, an Ancillary letter issued within the California, notarized Letter of Instruction and Federal Transfer Certificate issued by Internal Revenue Service.

Please be advised that we cannot mail a check to Philippine. Enclosed are wiring instructions and a wire transfer form. Please fill out completely so that we can process your request for account closure.

Please be advised all documents must be in English translation and must include an attestation from the United States Consulate, Embassy, or Apostille.

You may submit the requested documents to the address requested above or you may fax them to 866-215-6523.

If you have any questions, please call CitiPhone Customer Service at 1-800-627-3999. Speech or hearing impaired customers may call our text telephone service at 1-800-945-0258. Representatives are available to assist you 24 hours a day, 7 days a week.

Sincerely,

Gowtham Prabhakaran
Branch and Client Services

The Citibank Service Center provides customer account services for Citibank, N.A.

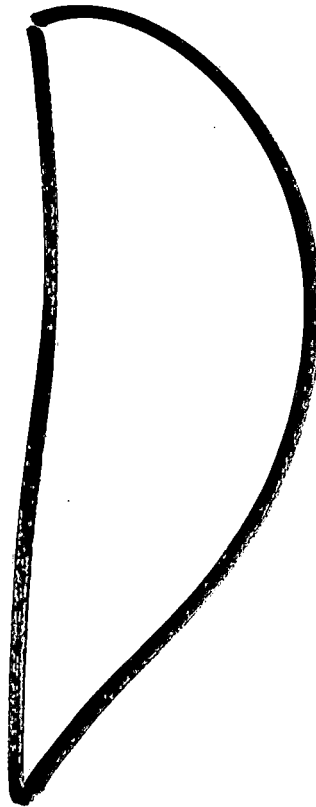


EXHIBIT D

January 25, 2018

CITIBANK SERVICE CENTER
100 Citibank Drive
San Antonio TX 78245-3214

Attn: Mr. Arun S M
Branch and Client Services

Re: Your Letter dated January 4, 2018
(concerning Estate of Aurora V. Barcebal)

Dear Mr. Arun:

We write on behalf of our client, Ms. Leonida Barcebal Garcia, in reply to your above-referenced letter.

Our client would like us to express her gratitude in providing her with instructions and an enclosed trust certification as part of the on-going process to close the account and effect transfer of the funds of the deceased Aurora V. Barcebal.

However, we have a couple of concerns which we hope your expertise in customer service can provide us with viable solutions.

Firstly, in lieu of a trust agreement referred to in your letter, would the notarized Extrajudicial Settlement of Estate suffice? This is the legal document required in the Philippines, sworn before a notary public, whereby successors and heirs make declaration of kinship and the provisions on settlement of estate. Should your legal department find this unacceptable, can you propose an equivalent replacement that can be executed here in the Philippines?

Secondly, our client does not have the Federal Transfer Certificate issued by the Internal Revenue Services. Is there a form which your good office can provide? Or if this is a document to be procured directly with the IRS, considering the circumstances of

our client, is there an equivalent acceptable document to satisfy this requirement? As mentioned in our prior communication, our clients are senior citizens - Ms. Leonida Garcia is **85** years old, while her sister Zenaida is **79** years old - with limited financial resources.

Travelling to the United States is a virtual impossibility. However, if any procedure can be accomplished here in the Philippines before the US consulate office located here in Manila, our client can endeavor to comply with the same.

All of the decedent's assets have thus far been settled and released to her heirs (our clients) except this pending issue and asset owing to distance and difficulty in obtaining information on this matter. We would greatly appreciate your help in finding solutions to resolve these final requirements.

We look forward to your reply and hope for your assistance.

Very truly yours,

RICHARD NEIL S. CHUA

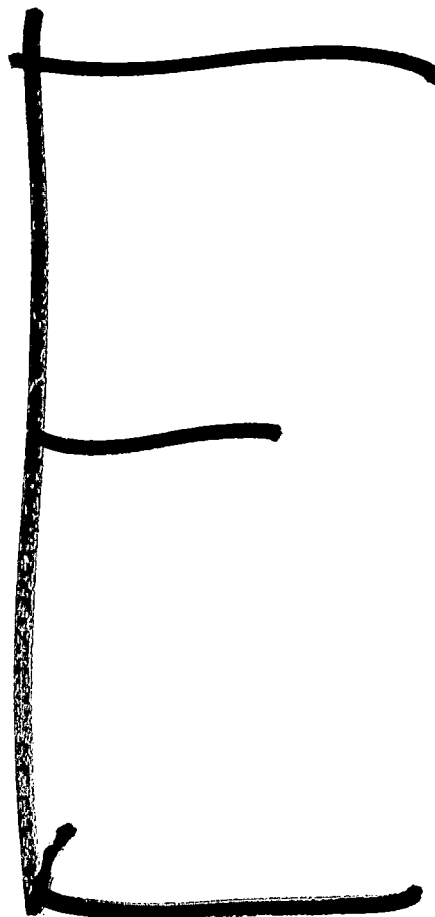
A large, handwritten capital letter 'E' in black ink. The letter is composed of a vertical stem and three horizontal bars. The top bar is slightly curved to the right, the middle bar is straight, and the bottom bar is also slightly curved to the right. The ink appears thick and slightly textured.

EXHIBIT E



LIGON SOLIS MEJIA*FLORENDO

LAW FIRM

THE PENTHOUSE, ZETA BUILDING, 191 SALCEDO STREET, LEGASPI VILLAGE, MAKATI CITY, PHILIPPINES
TEL. NOS.: (632) 8940601 / 8945737 / 8175672 • FAX NO. (632) 8945737

ANTONIO A. LIGON
H. LANI S. SOLIS
JOSE V. MEJIA*
EMMANUEL G. FLORENDO*
LUCIA I. L. LABAD - BERNARDO
NELSON P. LALUCES*
ANNA RHEA V. SAMSON

July 20, 2018

BELTRAN D. ADRICULA, JR.
RICHARD NIEL S. CHUA
MARK KRISTOPHER G. TOLENTINO
CHARITY T. PEDRAJAS

*on leave

CITIBANK SERVICE CENTER
100 Citibank Drive
San Antonio TX 78245-3214

Attn: Mr. Omkumar E K
Branch and Client Services

Re: Estate of Aurora V. Barcebal

Dear Mr. Omkumar:

We thank you for your letter dated May 15, 2018, and for enclosing the trust certification form along with the Federal Transfer Certificate.

You have instructed our clients to send to your office the foregoing documents accompanied by "the original trust agreement" to enable you to confirm the late Aurora V. Barcebal's successor trustees. Unfortunately, our clients do not have a copy of that original trust agreement for the two accounts ending in 2957 and 1349. Are we to understand that this original trust agreement is a document executed by Aurora V. Barcebal during her lifetime?

We wish to inform your good office that our clients only became aware of these bank deposits/assets with your bank due to continuing mail matter being received at the decedent's last address here in the Philippines. After diligently searching through the personal effects of the late Aurora Barcebal, our clients did not find any copy of a trust agreement relating to the subject bank deposits/accounts.

In this regard, could your good office furnish to us a copy of the cited Trust Agreement, and our clients can attest or confirm their identities as trustees therein before a consulate office. Or, if no such trust agreement exists in your records, as the sole surviving heirs of Aurora Barcebal, is it not the case that Ms. Leonida Garcia and Mrs. Zenaida Taccad are entitled under the relevant laws of succession to receive the funds as compulsory heirs?

We patiently await for your enlightenment on this situation, as we are unfamiliar with the protocols relating to the closure of a decedent's bank accounts in the U.S. However, we posit that a trust

LIGON SOLIS MEJIA FLORENDO

agreement is not the only means by which these funds may be transferred, as often times legitimate heirs or successors are unaware of or simply not in possession of particular documents of the decedent. We are relying on your assistance on this matter and at the soonest possible time, as our clients Ms. Leonida Garcia is already 85 years old and Mrs. Zenaida Taccad is 80 years old this year, and the decedent has passed away more than three years ago to date.

Additionally, can you please advise us of any applicable taxes to be imposed in this situation, as well as the possibility of having such expectant taxes to be deducted by your bank from the total proceeds payable to the heirs? Again, our clients Garcia and Taccad are of advanced age, hence, any means wherein these processes can be expedited with the least amount of cost and efforts is highly desired.

Finally, the following is the physical address and valid telephone number, along with other pertinent details of our client:

Beneficiaries: Leonida B. Garcia and Zenaida B. Taccad

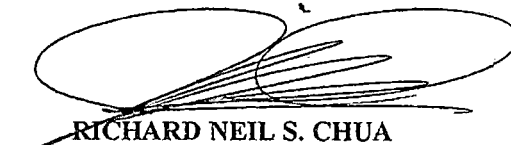
Address: 764 Kings Road, Highway Hills, Mandaluyong City, 1550.

Tel. Nos. (632) 533 91 69 and (632) 533 37 35

Email add georgegb357@gmail.com

We thank you again for your patience and continued assistance on this matter, and we look forward to hearing from you soon.

Very truly yours,



RICHARD NEIL S. CHUA
For the Firm.

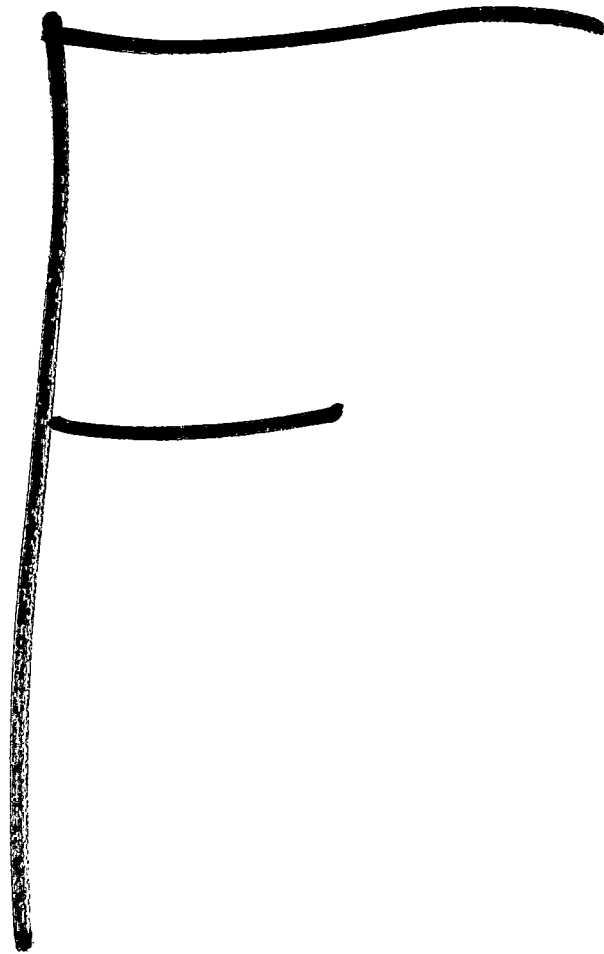


EXHIBIT F



100 CITIBANK DRIVE
SAN ANTONIO TX 78245-9966

Our Research
Results

Account Ending 2957

11/27/2018

R-124592181107

LIGON SOLIS MEJIA FLORENDO LAW FIRM
THE PENTHOUSE, ZETA BUILDING
191 SALCEDO STREET, LEGASPI VILLAGE
MAKATI CITY PHILIPPINES

00000005

www.citibank.com

Dear LIGON SOLIS MEJIA FLORENDO LAW FIRM,

**Why We're
Writing to You**

~~We received your correspondence concerning the Estate of Aurora V. Barcebal. We understand that you may be faced with a number of financial details involving the customer's account(s) and want to assure that we are here to guide you through this process:~~

**What You
Need to
Know**

In order to release information or close the account(s) ending in 2957 and 1349, we will need the original Trust Agreement naming the successor trustee(s), a completed and attested Trust Certification (enclosed) and a Federal Transfer Certificate issued by Internal Revenue Service.

If you are needing a copy of the original trust agreement used to open the account please contact the branch of domicile below:

4455 Geary Blvd
San Francisco, CA 94118
Phone Number-415-649-6969

Please be advised all documents must be in English translation and must include an attestation from the United States Consulate, Embassy, or Apostille.

**How to
Contact Us**

If you have any questions or would like to speak with a representative, Customer Service can be contacted 24 hours a day, 7 days a week at:

CitiPhone	1-888-248-4226
Spanish Language Calls	1-800-360-2484
Text Telephone Service (TDD)	1-800-945-0258
International Collect & Toll Free	1-210-677-0065

We appreciate your business with Citibank and look forward to serving all your future financial needs.

Sincerely,

Citibank Client Services

Calls are randomly monitored and recorded to ensure quality service.

Citibank Client Services provides customer account services for Citibank, N.A.

© 2018 Citigroup Inc. Citibank, N.A. Member FDIC. Citibank is an equal credit opportunity lender.

1072

R-124592181107

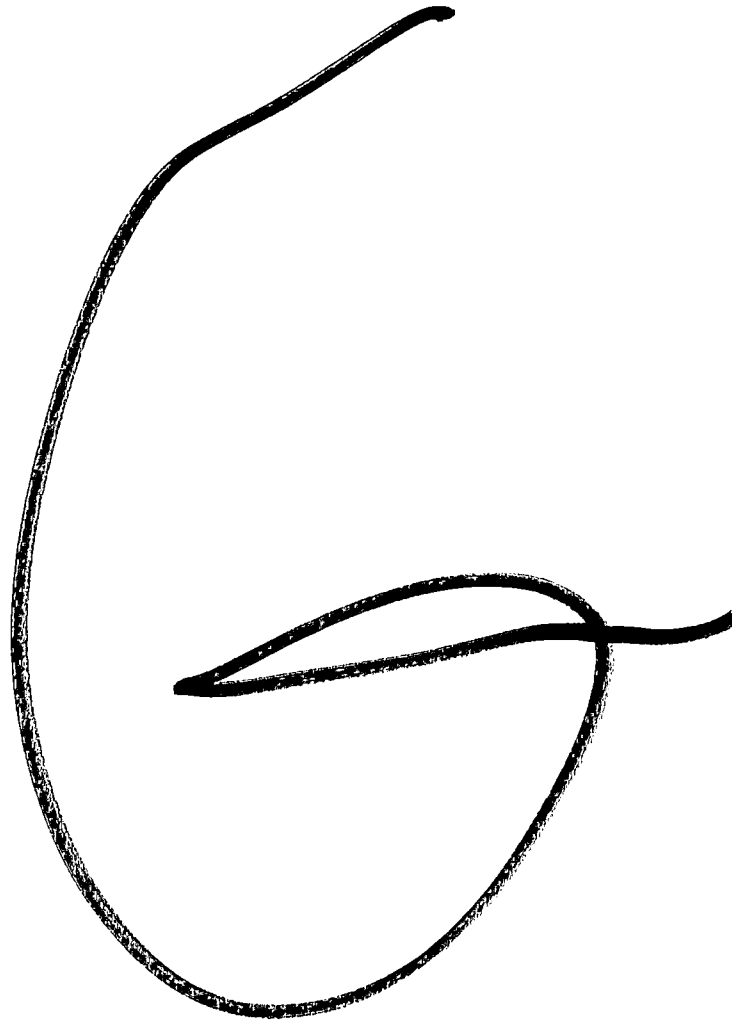


EXHIBIT G



LIGON SOLIS MEJIA*FLORENDO

LAW FIRM

THE PENTHOUSE, ZETA BUILDING, 191 SALCEDO STREET, LEGASPI VILLAGE, MAKATI CITY, PHILIPPINES
TEL. NOS.: (632) 8940601 / 8945737 / 8175672 • FAX NO. (632) 8945737

ANTONIO A. LIGON
H. LANI S. SOLIS
JOSE V. MEJIA*
EMMANUEL G. FLORENDO*
LUCIA I. L. LABAD - BERNARDO
NELSON P. LALUCES*
ANNA RHEA V. SAMSON

BELTRAN D. ADRICULA, JR.
RICHARD NIEL S. CHUA
MARK KRISTOPHER G. TOLENTINO
CHARITY T. PEDRAJAS

February 13, 2019

*on leave

CITIBANK, N.A.
No. 4455 Geary Blvd
San Francisco, CA 94118

Attn: **Ms. Connie Li**
Branch Manager

Re: *Estate of Aurora V. Barcebal*

Dear Ms. Li:

We write on behalf of our clients, Ms. Leonida Garcia and Mrs. Zenaida Taccad, who are the heirs of the late Aurora V. Barcebal, and in connection with our claims involving the funds of the decedent with Citibank.

In connection with our claims, certain documents were requested by Citibank Client Services from our clients, among which is the original Trust Agreement relative to accounts ending in 2957 and 1349.

Considering that our clients do not have this Trust Agreement, and we were specifically directed to your good office to secure this original copy. In line with that objective, we respectfully request for the original trust agreement used to open said account to be forwarded to our law office. **We have included a photocopy of the 11/27/2018 letter from Citibank Client Services for your reference.**

Should there be any question or issues with our request, kindly contact me at <rich_chua@yahoo.com>. Thank you for your assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard Neil S. Chua", written over a horizontal line.

RICHARD NEIL S. CHUA
For the Firm.

Cc:

Citibank Client Services
100 Citibank Drive

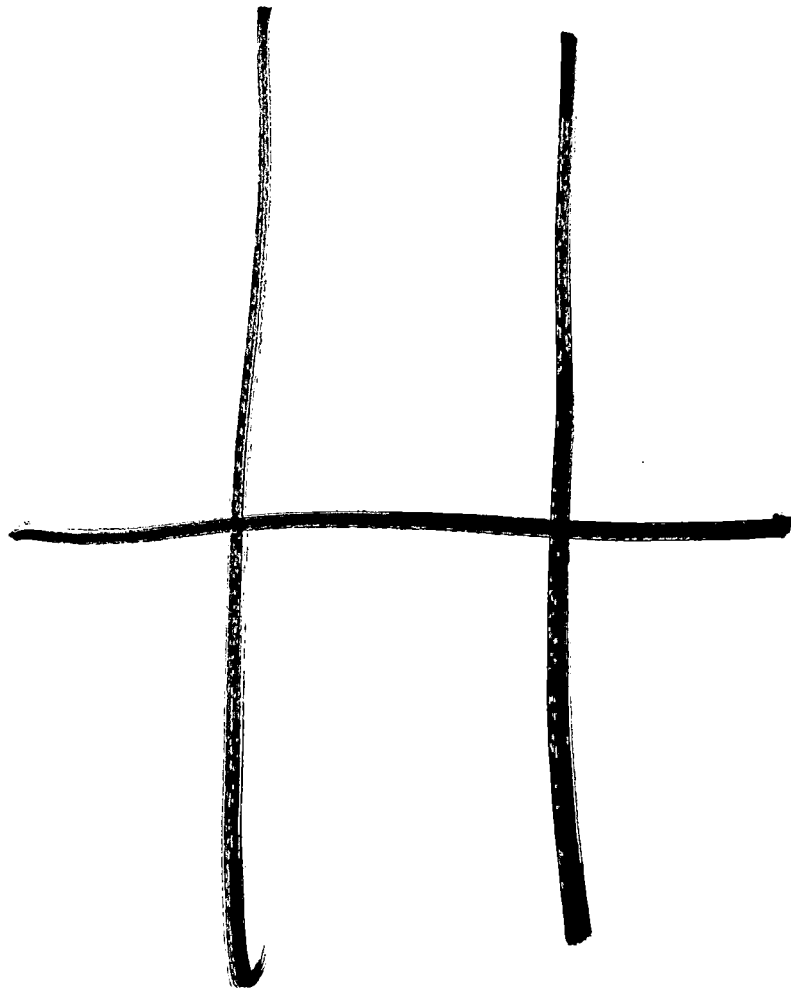


EXHIBIT H



LIGON SOLIS MEJIA*FLORENDO

LAW FIRM

THE PENTHOUSE, ZETA BUILDING, 191 SALCEDO STREET, LEGASPI VILLAGE, MAKATI CITY, PHILIPPINES
TEL. NOS.: (632) 8940601 / 8945737 / 8175672 • FAX NO. (632) 8945737

ANTONIO A. LIGON
H. LANI S. SOLIS
JOSE V. MEJIA*
EMMANUEL G. FLORENDO*
LUCIA I. L. LABAD - BERNARDO
NELSON P. LALUCES*
ANNA RHEA V. SAMSON

BELTRAN D. ADRICULA, JR.
RICHARD NIEL S. CHUA
MARK KRISTOPHER G. TOLENTINO
CHARITY T. PEDRAJAS

June 16, 2019

*on leave

CITIBANK CLIENT SERVICES
100 Citibank Drive
San Antonio TX 78245-9966

Re: Estate of Aurora V. Barcebal

Dear CCS:

We write on behalf of our clients, Ms. Leonida Garcia and Mrs. Zenaida Taccad, who are the heirs of the late Aurora V. Barcebal, and in connection with our claims involving the funds of the decedent with Citibank.

In your letters dated November 27, 2018, and again on February 25, 2019, you required us to secure the original Trust Agreement relative to accounts ending in 2957 and 1349. In your letters, you directed us to contact and request the same from the branch of domicile below:

CITIBANK, N.A.
No. 4455 Geary Blvd.
San Francisco, CA 94118

Accordingly, we wrote to Ms. Connie Li, Branch Manager of said branch in a letter dated February 13, 2019, a copy of which we herewith include.

We have not received any reply from said recipient bank for quite some time, prompting our client's representative to call said branch. Ms. Banaag personally spoke to Ms. Connie Li and was advised that she had sent out a reply letter to our law office (which, again, we have not received) and further informed our client's representative over the phone that:

"They do not keep a copy of the Trust Agreement..."

and

"...the only option is to take up the matter with the U.S. court..."

Needless to say, we are dismayed at such a development. Not only are we baffled that the domicile bank does not retain a copy of the Trust Agreement, but we are alarmed that the advice to our clients is to institute legal proceedings in this matter. We wonder if this is a standard protocol for your bank to suggest such remedy. Moreover, it is inexplicable and unrealistic to expect the heirs to have a

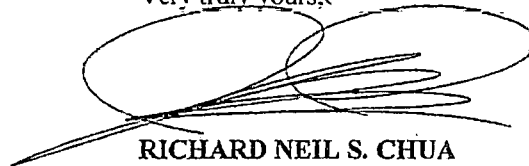
LIGON SOLIS MEJIA FLORENDO

copy of all the legal documents of the decedent, especially when her death was unexpected and her personal effects may have been lost or entrusted in unknown deposits. This is why your bank should logically provide the needed document. Instead, we have been at a standstill on this matter for over a year (since our first letter to Mr. Arun S.M. dated March 13, 2018).

We write this final letter to your good selves to appeal for assistance. Perhaps your direct intervention with the domicile bank is necessary to verify of the information relayed to our clients' representative, Ms. Banaag. Our clients are elderly and we earnestly hope a resolution can be offered by your group at the soonest possible time.

We thank you in advance for your attention to this pressing concern.

Very truly yours,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the bottom.

RICHARD NEIL S. CHUA
For the Firm.

Cc:

CITIBANK, N.A.
No. 4455 Geary Blvd
San Francisco, CA 94118

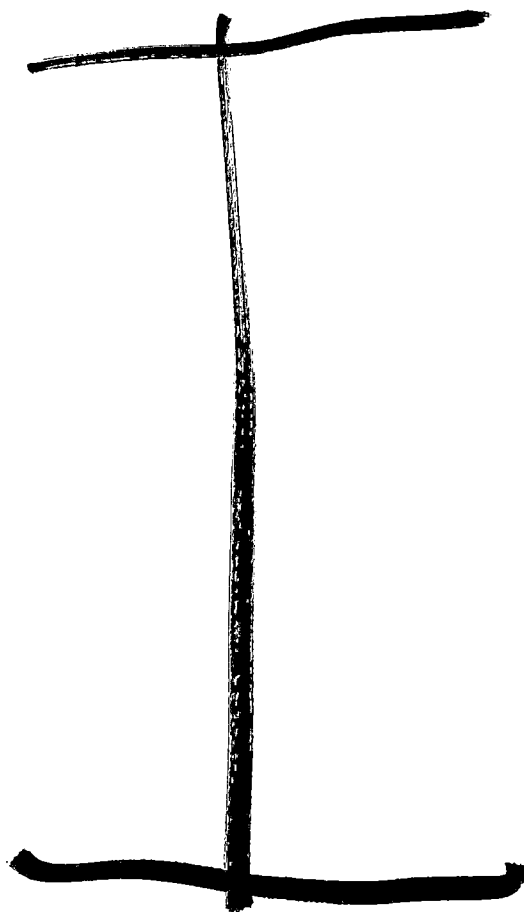


EXHIBIT I

FIRST CLASS MAIL 08/10/2021
NAME: AURORA V BARCEBAL
DESCRIPTION: CHECKING ACCOUNTS
ACCOUNT NUMBER: XXXXXX1349
PROPERTY ID: L X-51661340
FIMP: 000013
STATE: ZZ
BRANCH: 00041

THANK YOU FOR BANKING WITH CITIBANK. WE APPRECIATE YOUR BUSINESS AND THE OPPORTUNITY TO SERVE YOU.

BY SIGNING BELOW, I ACKNOWLEDGE OWNERSHIP OF THIS ACCOUNT AND CONFIRM MY CONTACT INFORMATION.

SIGNATURE

DATE

ADDRESS (IF DIFFERENT FROM ABOVE)

☐

Check here to update physical address

☐

Check here to update mailing address

AS PART OF OUR RESPONSIBILITY TO PROTECT YOU FROM UNAUTHORIZED ACCOUNT ACTIVITY, IF AN ADDRESS CHANGE IS REQUIRED AND YOU DECIDE TO RETURN THIS LETTER BY MAIL YOUR SIGNATURE MUST BE NOTARIZED. IF OUTSIDE OF THE UNITED STATES PLEASE VISIT A U.S. EMBASSY OR CONSULATE TO HAVE THE DOCUMENT NOTARIZED; A NOTARY WHO IS COMMISSIONED OUTSIDE OF THE UNITED STATES CANNOT BE ACCEPTED. YOU MAY ALSO UPDATE YOUR ADDRESS AT ANY CITIBANK BRANCH.

CITI RETAIL ABANDONED PROPERTY

IF YOU HAVE QUESTIONS ABOUT THIS LETTER, PLEASE CALL THE CITIBANK RETAIL ABANDONED PROPERTY UNIT AT **1-888-926-0233** BETWEEN 7:30AM AND 4:00PM CST MONDAY-FRIDAY. YOU MAY ALSO EMAIL QUESTIONS TO **RETAILABP@CITI.COM**. YOU MAY ALSO CONTACT CITIPHONE CUSTOMER SERVICE AT **1-888-248-4226**. HEARING OR SPEECH IMPAIRED CUSTOMERS MAY CALL **1-800-945-0258**. REPRESENTATIVES ARE AVAILABLE TO ASSIST YOU 24 HOURS A DAY, 7 DAYS A WEEK. CALLS ARE RANDOMLY MONITORED AND RECORDED TO ENSURE QUALITY SERVICE.

©2021 Citibank, N.A. Member FDIC. Citi, Citi and Arc Design and other marks used herein are service marks of Citigroup Inc. or its affiliates, used and registered throughout the world.

FSO1008544.72992

A large, handwritten capital letter 'J' in black ink. The letter is formed with a single stroke, starting with a horizontal bar at the top right, curving down and to the left, and ending with a small hook at the bottom left.

EXHIBIT J

LAW OFFICE OF ROBERT MILLS

1429 S. Valley Center Avenue, Glendora, CA 91740
Tel: (626) 827-1419 Fax: (909) 592-3688 Email: robert@mills-law-office.com

SENT BY U.S.P.S. PRIORITY MAIL

April 8, 2022

CITIBANK, N.A.
4455 Geary Blvd.
San Francisco, CA 94118

CITIBANK CLIENT SERVICES
U.S. Service Center
Attn: C.P.S.
P.O. Box 769007
San Antonio, TX 78245-9966

CITIGOLD CLIENT SERVICES
U.S. Service Center
Attn: C.G.S.
P.O. Box 769007
San Antonio, TX 78245-9966

CITIGOLD SERVICES
PO Box 6201
Sioux Fall, SD 57117-6201

CITIBANK, NA
1000 Technology Drive
O'Fallon, Mo 63368

Re: **AURORA V. BARCEBAL ATF 2010 AURORA V BARCEBAL REV TRUST**
DATED 05/24/2010

CITIGOLD ACCOUNT NO. 42006622957

To the respective representatives of the above-referenced Citibank/Citigold banking entities:

My office represents Georgina Banaag who is an heir of Aurora V. Barcebal. Enclosed is an Attorney Authorization Form ("Rep Letter") signed by Ms. Bannag consenting to my communication with you on Ms. Banaag's behalf.

Aurora V. Barcebal passed away in 2015 at which time Ms. Barcebal was the trustor and trustee of the Aurora V. Barcebal Revocable Trust Dated 05/24/2010 (the "Trust"). The Trust had a trust account with Citibank as a Citigold account.

Letter to Citibank
RE: Aurora V. Barcebal
Citigold Account No. 42006622957
April 8, 2022
Page 2 of 3

Enclosed for your reference is Page 1 of a Citigold account summary for Aurora V. Barcebal's account under the name of the 2010 Aurora V. Barcebal Revocable Trust, for the period of October 1 to 31, 2021 to confirm the existence and continued handling by Citibank of the Trust account.

Since Ms. Barcebal's passing, my client and other heirs have been searching for the Trust documents without success. The search narrowed down to Citibank where the trust account is and should be located due to the understanding that a bank should have copies of trust documents which were provided by Ms. Barcebal to open the trust account.

Multiple requests have been made to Citibank over the past 7 years for a copy of the Trust Agreement, but the requests were either never answered or responded to with information that led nowhere. In a discussion in 2019 between my client and Citibank representative Connie Li, Ms. Li stated that Citibank does not have a copy of the Trust Agreement and that my client's "only option is to take up the matter with the U.S. Court."

It is not clear why Ms. Li would openly advise my client that court intervention is the "only option" to obtain documents which are believed to be in Citibank's possession, which Citibank denies.

In any event, I trust you are aware of the common and standard practice for banking institutions in California to see and obtain a copy of a Trust document whenever a trust account is opened in order to identify and confirm the identity of the Trust and the person opening such an account. Every one of my clients who have opened a trust account at any bank (with or without my assistance) has been asked by the bank to provide trust documents and if none are available, the bank will not open a trust account until trust documents are provided.

I am aware that a bank needs and requests to see a trust document primarily to identify the trust name, the trustee and any powers the trustee may have to open a bank account on behalf of the trust. Very often the customer will provide a Certificate of Trust which will name the trust's title, the trustee, the date the trust was executed, and some of the pertinent rights and duties of the trustee, without naming any beneficiaries or how the trust assets will be distributed.

Thus, we can agree that pertinent information about the Barcebal Trust was provided to Citibank when the trust account was opened, evidenced by the full name of the Trust on its bank statements (which Citibank continues to mail out). We trust that this information and documentation are kept on file with Citibank and accordingly, my client requests that such documentation be provided to her without delay.

Letter to Citibank
RE: Aurora V. Barcebal
Citigold Account No. 42006622957
April 8, 2022
Page 3 of 3

There is no valid reason to withhold such information from my client and there are ample and sufficient reasons to provide the information/documentation. Ms. Barcebal passed away in 2015 and trust assets have yet to be distributed over the past 7 years. Not being aware of a successor trustee – if one can be determined by trust documents – has prejudiced any beneficiaries from being identified and from receiving their proper distribution of assets in a timely manner.

As noted above, my client has made prior requests that Citibank provide a copy of the Trust Agreement and Citibank claims that it does not keep a copy of the Trust Agreement. However, because my client's requests have been made to produce a Trust Agreement without reference to producing any other document, I believe Citibank has limited its interpretation of the request to mean only the Trust Agreement should be produced, when in fact Citibank should have provided whatever documents and information it possesses in response to the multiple requests which relate to the Trust which would have clearly assisted Ms. Barcebal's heirs to resolve this issue even without the actual Trust Agreement.

I therefore call upon any representative of the above entities – either individually or collectively – to promptly confirm that a diligent search will be made to locate not only the Trust Agreement, but also any documents related to the Trust, including, but not limited to, a Certification of Trust, an Affidavit of Trust, partial pages of the Trust Agreement, or similar informative documents, related to the opening of the Citibank account in the name of the Aurora V. Barcebal Revocable Trust Dated 05/24/2010.


Indeed, Ms. Li's casual suggestion that my client seek court intervention to obtain any records in Citibank's possession may eventually be necessary, but I believe that this matter can be resolved amicably and without the need for time-consuming and costly court action against Citibank.

I trust that Citibank will do all it can to assist my client in this matter and I look forward to hearing from you and for production of any and all documents as requested herein.

Thank you for your anticipated cooperation.

Very truly yours,

LAW OFFICE OF ROBERT MILLS


Robert Mills, Esq.
RM: mtf

Enclosures

cc: Client

LAW OFFICE OF ROBERT MILLS

1429 S. Valley Center Avenue, Glendora, CA 91740
Tel: (626) 827-1419 Fax: (909) 592-3688 Email: robert@mills-law-office.com

ATTORNEY AUTHORIZATION FORM

I, MA. GEORGINA G. BANAG, the undersigned, hereby authorize my attorney, Law Office of Robert Mills, to act on my behalf in all manners relating to the estate of Aurora V. Barcebal (date of death: 01/23/2015), including communication (oral or written) with financial entities, insurance companies, state offices, and their employees and/or agents, and including signing of all documents relating to this matter. Any and all acts carried out by Law Office of Robert Mills on my behalf shall have the same effect as acts of my own.

This authorization is valid until further written notice from the undersigned. A photocopy or facsimile copy of this authorization shall have the same effect as the original.

Date: NOV 26, 2021

MA. GEORGINA G. BANAG
Print Name

MA. GEORGINA G. BANAG
Sign Name



Citigold

 October 1 - October 31, 2021
 Citigold Account 42006622957

Page 1 of 4

00000335 88 CCC 302 JSW346NA N8C 1 TY7 0

 AURORA V. BARCEBAL ATF
 2010 AURORA V BARCEBAL REV TRUST
 DATED 05/24/2010
 764 KINGS ROAD, SAMAT
 MANDALUYONG METRO
 MANILA PHILIPPINES

00046240

CITIGOLD SERVICES

 PO Box 6201
 Sioux Falls, SD 57117-6201

Citigold Dedicated Servicing: 888-248-4465

For banking, call your Relationship Manager:

Judy Zhu, 510-492-0930*

For investments, call your Financial Advisor:

Josie Su, 408-481-1074*

For speech or hearing impaired customers dial: 711

Website: www.citibank.com

EXHIBIT J 5 of 5

Citigold is a service of Citibank, N.A. The following summary portion of the statement is provided for informational purposes.

Citigold Account		
Citibank Accounts		
Checking		
Checking	75,947.76	0.00
Savings		
Insured Money Market Accounts	228,730.80	0.00
Citigold Relationship Total	\$302,678.56	\$0.00

Earnings Summary		
Citibank Accounts		
Checking		
Checking	0.00	17.02
Savings		
Insured Money Market Accounts	0.00	135.62
Citigold Relationship Total	\$0.00	\$152.64

* To ensure quality service, calls are randomly monitored and may be recorded.

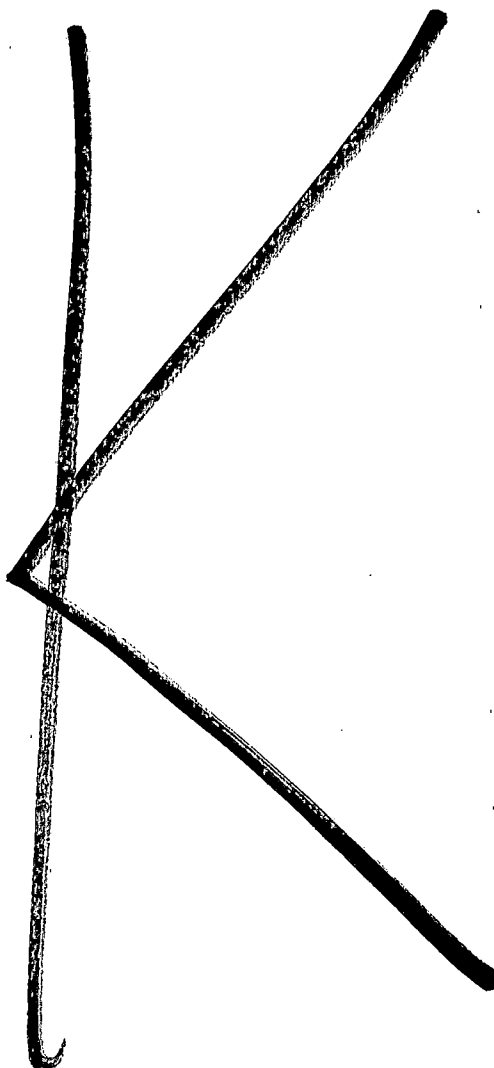


EXHIBIT K



Citibank, N.A.
Office of the President
P.O. Box 6000
Sioux Falls, SD 57117-6000

UPDATE ON YOUR REQUEST

April 22, 2022

Robert Mills
1429 S. Valley Center Avenue,
Glendora, CA 91740

Citi Reference Number: 202204191058573361033

Hello Robert,

You recently reached out to us on behalf of your client Georgina Banaag regarding our client Aurora Barcebal's account, and we've reviewed your request.

During our review of the account, we were unable to identify you or your client as authorized signers on the account and are therefore unable to provide you any information regarding the documents maintained by Citibank regarding the account. Please provide us with Letters of Administration or Letters Testamentary for the Estate of Aurora Barcebal so that we may provide the feedback that you require to assist your client.

While reviewing the account, we were able to determine that the account was closed on October 1, 2021, because the account was considered abandoned property, and the funds were escheated to the State of California. Since this is a matter of public record, we are able to disclose this information to you.

Thanks for your inquiry. We'd like you to know that it's important to us and we appreciate the opportunity to respond

Thank you,
Your Citi Executive Response Team
605-331-1698*
*For TTY: Use 711 or other Relay Service
CitiERU@citi.com

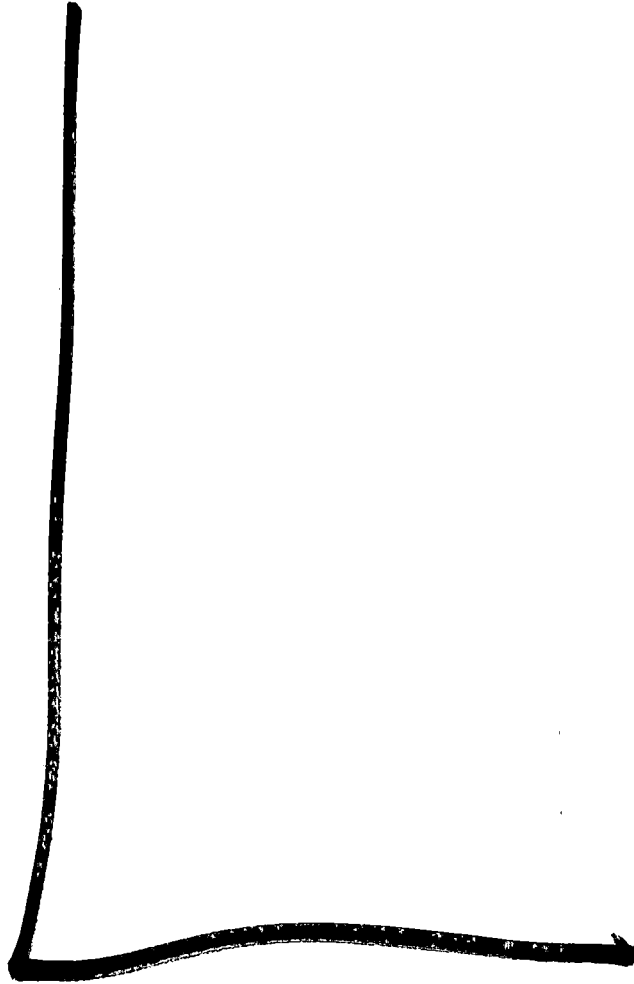


EXHIBIT L



CITIBANK CLIENT SERVICES
ATTN: C. G. S.
100 CITIBANK DRIVE
SAN ANTONIO TX 78245-9966

**Our Research
Results**

Account Ending 2957

05/05/2022

R-107971220425



1150
UPGR

ROBERT MILLS
ESTATE OF AURORA V. BARCEBAL
1429 S. VALLEY CENTER AVENUE
GLEN DORA CA 91740

www.citibank.com

Dear ROBERT MILLS,

**Why We're
Writing to You**

We received your correspondence regarding the Estate of AURORA V. BARCEBAL. Our records indicate that the account ending in 2957, went into an inactive status. Unfortunately, because this was a dormant account, the State of California required that the account be deemed abandoned property after several failed attempts of notification of the dormant account status.

**What You
Need to
Know**

Our records show in 10/1/21, the funds from the above mentioned account were remitted to the state of California as dormant property. To reclaim the funds, you must file a claim with the California. Please visit the California website at <https://southdakota.findyourunclaimedproperty.com/> for assistance in the matter.

Please be informed it will take about 6-12 weeks for the funds to show on the website. It might be longer with Covid-19. After the database has been updated you will be able to get the property ID number from this website: <https://southdakota.findyourunclaimedproperty.com/>

In order to obtain the funds due to you, please contact the state comptroller's office through written correspondence. The address is:

Citibank Abandoned Property Unit / TMF
1000 Technology Dr. MS 501
O'Fallon, MO 63368
Phone: 888-926-0233
(M-F 10:00AM – 3:00PM (Central Standard Time))
Fax: 877-266-0527

**How to
Contact Us**

If you have any questions or would like to speak with a representative, Customer Service can be contacted 24 hours a day, 7 days a week at:

Citigold	1-888-248-4465
Citigold International Collect	1-210-677-3789
Text Telephone Service (TTY)	1-800-788-6775

We appreciate your business with Citibank and look forward to serving all your future financial needs.



EXHIBIT M

EXH D - 1.25.18 LTR_BATES.pdf x south dalota escheat - Search x Unclaimed Property - South Da x South Dakota Unclaimed Prope x +

erty.com/app/claim-search

HOME

CLAIM UNCLAIMED PROPERTY



Unclaimed
Property
Division

Search for Unclaimed Property

SEARCH

To begin your search for unclaimed funds, enter a Last Name or Business Name. A Last Name or Business Name is required unless you have a Property ID. For best results, you may also enter a full First Name. Results will include common nicknames when a First Name is entered.

*Last or Business Name: Barcebal

First Name:

To refine your search results, enter a City or Zip Code.

Note - The unclaimed funds submitted to us occasionally include owner names listed in reverse order. Search results will analyze the First, Middle and Last Name fields in order to provide a comprehensive result set for you to review.

Narrow your search with the following fields:

City:

Zip Code:

Property ID:

If you have a Property ID from a publication or outreach letter, enter it in the Property ID field to find that specific property.

Initiate as many unique searches as you like and 'Claim' property as you go. Once you have completed all searches, click 'Continue To File Claim' to file your claim!

To search for property held by other states, visit [FindMyFunds.com](https://findmyfunds.com).

SEARCH

If you have any questions or concerns regarding the privacy of your information or the legitimacy of this website, please see our [Privacy Information page](#).



There were no records found for that search. If you feel this may be an error or would like to speak with a staff member, please call our office at 605-773-3379.

RESULTS (Your search returned 0 unclaimed properties.)

Exact name matches will be shown first, followed by properties with similar names to the one entered.

CONTINUE TO FILE CLAIM(0)

You have 0 properties currently claimed. Click the button to continue your submission.

CONTINUE TO FILE CLAIM(0)

EXH.D - 125-18 LTR BATES.pdf | Q. south dakota escheat Search | Unclaimed Property - South Dal. | South Dakota Unclaimed Proper

erty.com/app/claim-search

Note - The unclaimed funds submitted to us occasionally include owner names listed in reverse order. Search results will analyze the First, Middle and Last Name fields in order to provide a comprehensive result set for you to review.

If you have a Property ID from a publication or outreach letter, enter it in the Property ID field to find that specific property.

Initiate as many unique searches as you like and 'Claim' property as you go. Once you have completed all searches, click 'Continue To File Claim', to file your claim!

To search for property held by other states, visit FindMyFunds.com.

Narrow your search with the following fields:

City:

Zip Code:

Property ID:

SEARCH

If you have any questions or concerns regarding the privacy of your information or the legitimacy of this website, please see our Privacy Information page.



There were no records found for that search. If you feel this may be an error or would like to speak with a staff member, please call our office at 605-773-3379.

RESULTS (Your search returned 0 unclaimed properties)

Exact name matches will be shown first, followed by properties with similar names to the one entered.

CONTINUE TO FILE CLAIM(0)

Display: 20 results

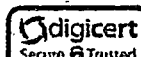
First Previous Next Last

To file a claim for properties on this list, click the CLAIM button next to those properties. Next click on the CONTINUE TO FILE CLAIM button.

Selection	Owner Name	Address	City	State	ZIP Code	Reported By	Amount	Property ID	Property Type
-----------	------------	---------	------	-------	----------	-------------	--------	-------------	---------------

No properties to display.

First Previous Next Last



You have 0 properties currently claimed. Click the button to continue your submission.

CONTINUE TO FILE CLAIM(0)


1 2 3

A large, handwritten capital letter 'N' in black ink, centered on the page. The letter is formed by a single continuous stroke, starting from the bottom left, curving up to the top left, then down to the bottom right, and finally up to the top right.

EXHIBIT N

pdf x EXH D - 1.25.18 LTR. RATES.pdf x Q california.escheated funds Sea x Unclaimed Property x

index



Home About Us Public Services State and Local State Employees Publications News

Search Properties Download Records Claim Status Unclaimed Property Main Page Claimant Login

Unclaimed Property

Step 1: Search the Unclaimed Property Database



To start your search, please enter your name or property ID number. You may narrow your search by adding your address or city of residence. For further questions, please view the [How to Search for Property](#) video.

Check for less specific match search

Name:

Urrora Barcebal

Address:

Property #:

☒ I'm not a robot



Contact Us Register to Vote Adobe Reader Version 1.3-1561-41483e56* More

pdf x EXH D - 1.25.18 LTR_BATES.pdf x Q california escheat - Search x Unclaimed Property x +

index

property #:

Search Properties

View Search

Cancel Claims Search

Sort the results, click on the heading "Name" or "City".

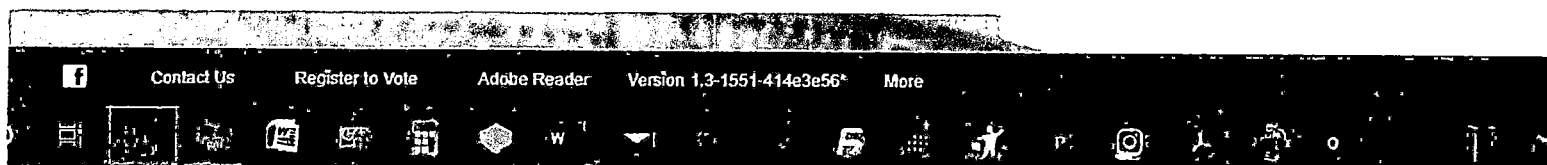
	Property#	Name ▲	Address	City	State	ZIP	Amount:	Co-Owner(s)	Property Indicator	Property Type
Add	14556145	BARCEBAL AURORA	355 EUCLID AVE #202	SAN FRANCISCO	CA	94118-2749	\$462.00	CONTE LYDIA	Cash	P
Reported By: SCHLUMBERGER LTD										
Description: Dividends										
Add	1020443791	BARCEBAL AURORA	6 TURQUOISE	SAN FRANCISCO	CA	94131-1638	\$50.54		Cash	P
Reported By: PACIFIC GAS & ELECTRIC COMPANY										
Description: Refunds or Rebates										
Add	979650133	BARCEBAL MISS AURORA V	839 LEAVENWORTH APT 302	SAN FRANCISCO	CA	94102	\$4.20	CONTE LYDIA S	Cash	P
Reported By: FAIRCHILD CAMERA AND INSTR CORP %SSB										
Description: Other										

Page 1 of 1

View Search

Cancel Claims Search

[Link to homepage](#)



VERIFICATION

I, MA. GEORGINA G. BANAG, declare:

I am over the age of 18 years and I am an interested person in the within matter, and I am the niece and an heir of the decedent, Aurora V. Barcebal.

My legal representative in this matter is the Law Office of Robert Mills, and attorney Robert Mills is an interested person representing me in connection with the within Petition.

I have read the foregoing **PETITION FOR 1. ORDER DIRECTING RESPONDENTS TO CONVEY OR TRANSFER ALL PROPERTY OF THE TRUST OF AURORA V. BARCEBAL TO PETITIONER HEREIN; 2. ORDER FINDING RESPONDENTS HAVE IN BAD FAITH WRONGFULLY TAKEN, CONCEALED, AND/OR DISPOSED OF PROPERTY BELONGING TO THE TRUST OF AURORA V. BARCEBAL; 3. ORDER FINDING THAT RESPONDENTS ARE LIABLE FOR TWICE THE VALUE OF THE PROPERTY RECOVERED BY THE WITHIN ACTION BROUGHT UNDER PROBATE CODE § 805 ET SEQ.; 4. INTENTIONAL MISREPRESENTATION; 5. NEGLIGENT MISREPRESENTATION; AND 6. CONCEALMENT.**

The matters stated in said document are true of my own knowledge except those matters stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on AUGUST 31, 2022, in MANDALUYONG CITY,
METRO MANILA, PHILIPPINES

Ma. Georgina G. Banag
Signature

MA. GEORGINA G. BANAG
Print Name

Law Office of Robert Mills
1429 S. Valley Center Ave.
Glendora, CA 91740



FSO
Retail Service Ops

NOV 14 2022

Received

CITIBANK CLIENT SERVICES
c/o DCAM
100 CITIBANK DRIVE
SAN ANTONIO, TX 78245

\$3
US PS
FIRST-CLASS
062S00014



usps.com